



July 22, 2022

VIA ECF

Michael C. Schmidt

Direct Phone 212-453-3937

Direct Fax 866-736-3682

mschmidt@cozen.com

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

**Re: *Barker v. The Bancorp*, 21-cv-00869 (KPF)
Kamai v. The Bancorp, 21-cv-00896 (KPF)
Request for Adjournment of August 4, 2022 Status Conference**

Dear Judge Failla:

We represent the Defendant in the above-referenced related actions. In accordance with Rule 2[D] of Your Honor's Individual Practices, we respectfully request – with the consent of Plaintiffs' counsel – a brief one-week adjournment of the August 4, 2022 status conference.

- **Original Date.** The Court's March 22, 2022 Civil Case Management Plan and Scheduling Order (Docket No. 24 (Barker) and No. 20 (Kamai)) previously scheduled a post-discovery status conference for August 4, 2022 at 12:00pm.
- **Number of Previous Adjournment Requests.** This is the first request for an adjournment of this post-discovery status conference.
- **Reason for Current Request.** I have an unavoidable conflict at that time on August 4th and would respectfully request, subject of course to the Court's schedule, to move the conference to the following week. I have conferred with Plaintiffs' counsel and both sides would be available on the following dates if convenient to the Court: August 9th, August 10th (other than between 11:30-2:30), or August 11th.
- **Other Party Consent.** As noted above, Plaintiffs' counsel has consented to this request, and is available as well on the above-noted days.

Accordingly, we respectfully request that the Court adjourn the August 4th status conference to one of the above-noted days, or the parties can jointly propose additional days if none of those are good for the Court. In addition, please confirm whether the Court intends to hold this status conference in person. The Court's March 22nd Scheduling Order suggests that the conference will be held in person, but we are not certain whether the Court is currently holding conferences in person rather than virtually.

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Thank you very much for your attention to this matter.

Respectfully yours,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "Michael C. Schmidt", with a stylized flourish at the end.

BY: MICHAEL C. SCHMIDT (MS7841)

cc: All Counsel of Record (via ECF)

Application GRANTED. The conference scheduled for August 4, 2022, is hereby ADJOURNED to **August 11, 2022, at 2:00 p.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. The Clerk of Court is directed to docket this endorsement at 21 Civ. 869 and 21 Civ. 896, and to terminate the pending motion at 21 Civ. 869 (Dkt. #31) and 21 Civ. 896 (Dkt. #26).

Dated: July 25, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Katherine Polk Failla", written in a cursive style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE